

ORDINANCE NO. 79 1213-0

AN ORDINANCE ORDERING A CHANGE IN USE AND HEIGHT AND AREA AND CHANGING THE USE AND HEIGHT AND AREA MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:

AN APPROXIMATE .564 ACRE TRACT OF LAND, LOCALLY KNOWN AS 808 WEST AVENUE (MONTGOMERY HOUSE), FROM "B" RESIDENCE, SECOND HEIGHT AND AREA DISTRICT TO "B-H" RESIDENCE-HISTORIC, SECOND HEIGHT AND AREA DISTRICT; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

PART 1. Chapter 45 of the Austin City Code of 1967 is hereby amended to change the USE and HEIGHT and AREA designations from "B" Residence, Second Height and Area District to "B-H" Residence-Historic, Second Height and Area District on the property described in File **C14h-79-020** to-wit:

An approximate .564 acre tract of land out of Outlot 2, Division E, Original City, a subdivision of record in Volume 5868, Page 347 of the Deed Records of Travis County, Texas, being more particularly described by metes and bounds as follows:

One and one-quarter acres out of Outlot No. 2 in Division E;

BEGINNING t the northeast corner of C. C. Burlages 7-1/4 acre tract at a stake on West Avenue;

THENCE north 19° east with said Avenue 86 feet to southeast corner of Mrs. Burlages 1 acre tract;

THENCE N 71° west with south line Mrs. Burlage tract 560 feet to Shoal Creek;

THENCE down the same with its meanders to northwest corner of C. C. Burlage tract;

THENCE south 71° east with his north line to the beginning, being the same division set apart to Joseph R. Burlage in the decree of partition in the Case No. 4577 of the District Court of Travis County entitled L. E. Edwards, et al v. Francis Burlage, et al, and the same part deed by the said Joseph R. Burlage to E. C. Bartholomew, dated September 13, 1877, recorded in Travis County records Book 36, Pages 538-539, and by E. C. Bartholomew to Jas. H. Barry by deed dated November 11, 1885, and recorded in Travis County records Book No. 65, Page 557; SAVE AND EXCEPT the following tract:

A portion of Outlot No. 2, Division E, of the Government Outlots adjoining the City of Austin, Travis County, Texas, more particularly described by metes and bounds as follows:

BEGINNING at an iron pipe stake in the limitation line between a tract of land owned by Marian R. Powell and a tract of land conveyed by James H. Barry to W. J. Montgomery by deed recorded in Volume 67, Page 445 of the Travis County Deed Records. Both tracts being a portion of Outlot 2, Division E, of the Government Outlots of the City of Austin, Travis County, Texas, from which point of beginning an iron pipe stake at the intersection of the west line of West Avenue and the center line of West 10th Street bears S 70° 38' E 151.6 feet and N 19° E 501.7 feet to-wit:

THENCE N 70° 38' W 354.09 feet, more or less, following the limitation line between said Powell and Montgomery tracts, to Shoal Creek;

THENCE N 11° 18' W with said Shoal Creek 94 feet more or less to the intersection of the limitation line between a tract of land owned by Lon A. Smith and a tract of land conveyed by James H. Barry to W. J. Montgomery by deed recorded in Volume 67, Page 445, of the Travis County Deed Records; said point being the northwest corner of said W. J. Montgomery tract;

THENCE S 71° 1' E 372.56 feet more or less following said limitation line to an iron pipe stake, said stake being 180.8 feet westerly from the west line of West Avenue, for a corner;

THENCE S 0° 4' E 88.4 feet to the PLACE OF BEGINNING, containing 0.686 acre of land,

locally known as 808 West Avenue (Montgomery House), in the City of Austin, Travis County, Texas.

PART 2. It is hereby ordered that the USE and HEIGHT and AREA maps accompanying Chapter 45 of the Austin City Code of 1967 and made a part thereof shall be changed so as to record the change ordered in this ordinance.

PART 3. The rule requiring that ordinances shall be read on three separate days is hereby suspended, and this ordinance shall become effective ten (10) days following the date of its passage.

PASSED AND APPROVED

December 13, 1979

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X

Carole Leeton McClalla
Mayor

APPROVED:

Albert D. LaRosa
City Attorney

ATTEST:

Grace Monroe
City Clerk

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SF:cf